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June 29, 2009

The Honorable Joseph J. Farnan, Jr.
United States District Court
844 North King Street
Wilmington, DE 19801

VIA ELECTRONIC FILING

Re: *Pronova BioPharma Norge AS v. Par Pharmaceutical, Inc., et al.*,
C.A. No. 09-305-JJF

Pronova BioPharma Norge AS v. Teva Pharmaceuticals USA, Inc., et al.,
C.A. No. 09-286-JJF

Pronova BioPharma Norge AS v. Apotex Corp., et al.,
C.A. No. 09-304-SLR

Dear Judge Farnan:

My firm and Finnegan, Henderson, Farabow, Garrett & Dunner LLP represent Pronova BioPharma Norge AS ("Pronova"), which is the plaintiff in all three of the above cases. The cases against *Par* and *Teva* have been assigned to Your Honor. The case against *Apotex* originally was assigned to Your Honor but subsequently was reassigned to Judge Robinson. Your Honor has scheduled Rule 16 conferences in the *Par* and *Teva* cases for July 7, 2009, at 10:00 a.m. and 11:00 a.m., respectively. No Rule 16 conference has yet been scheduled in the *Apotex* case. I am writing because these three cases are closely related actions, and we thought it important to bring that fact to Your Honor's attention – and by copy of this letter, to the attention of Judge Robinson.

All three of these actions are ANDA cases. They involve the same patents (U.S. Patents Nos. 5,502,077 and 5,656,667), and they are based on FDA filings by three sets of defendants seeking approval to market generic copies of the same product (Lovaza®). Under the circumstances, we assume the Court ultimately will conclude that for reasons of efficiency these cases should be scheduled on a coordinated basis, and that in order to avoid considerable duplication of effort, they should not be divided between two different Judges. However, since the cases currently appear to be headed for three separate Rule 16 conferences before two

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different Judges, we thought the Court would appreciate being made aware of the issue in advance of the two scheduling conferences currently set for July 7, 2009.

We will be available at the Court's convenience in the event that Your Honor or Judge Robinson has questions or would like to discuss this matter further.

Respectfully,

/s/ Steven J. Balick

Steven J. Balick

SJB/dmf

cc: The Honorable Sue L. Robinson (via electronic filing)
James B. Monroe, Esquire (via electronic mail)
Frederick L. Cottrell, III, Esquire (via electronic mail)
Daniel G. Brown, Esquire (via electronic mail)
John W. Shaw, Esquire (via electronic mail)
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